

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

AMIE JOHNSON, CHRISTOPHER D. )  
JOHNSTON, MAL BERGMAN and TESS ) No. C09-05217-BHS  
BERGMAN, on behalf of themselves and all )  
others similarly situated, ) STIPULATION AND ORDER RE-  
Plaintiffs, ) NOTING MOTION TO DISMISS  
v. ) [DKT. 23] AND REVISING  
COUNTRYWIDE HOME LOANS, INC., ) BRIEFING SCHEDULE  
Defendant. )  
*Noted for Consideration:*  
June 24, 2009

## STIPULATION

The parties, by and through their attorneys of record, stipulate to entry of the proposed Order set forth below, re-noting the Motion to Dismiss by Countrywide Home Loans, Inc. (“Countrywide”), and revising the briefing schedule on that Motion.

In support of this request, the parties represent the following to the Court:

1. Countrywide filed its Motion to Dismiss on June 15, 2009 [Dkt. 23]. Pursuant to Local Rule 7, Countrywide noted its Motion for consideration on July 10, 2009.

2. Because of professional and personal commitments, Plaintiffs' counsel have requested additional time to respond to Countrywide's Motion.

3. Accordingly, pursuant to that request, Countrywide has agreed to re-note its Motion to Dismiss for consideration on *July 31, 2009*.

4. The parties have further agreed to revise the briefing schedule on the pending Motion to Dismiss, so that (a) Plaintiffs shall file their opposition to the Motion on or before ***July 22, 2009***, and (b) Countrywide shall file its Reply in Support of the Motion to Dismiss no later than the revised noting date of ***July 31, 2009***.

**STIPULATION AND [PROPOSED] ORDER RE-NOTING MOTION  
TO DISMISS [DKT. 23] AND REVISING BRIEFING SCHEDULE  
(C09-05217-BHS) – 1**

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## ORDER

IT IS SO ORDERED.

The Clerk shall re-note Countrywide's Motion to Dismiss [Dkt. 23] to July 31, 2009.

The parties shall adhere to the agreed briefing schedule set forth above.

DATED this 25<sup>th</sup> day of June, 2009.



BENJAMIN H. SETTLE  
US District Court Judge

Stipulated and jointly presented by:

DAVIS WRIGHT TREMAINE LLP

By: *s/ Stephen M. Rummage*  
Stephen M. Rummage, WSBA #11168  
Attorneys for Countrywide Home Loans, Inc.

**LOWENBERG, LOPEZ & HANSEN, P.S.**

By: s/ Stephen M. Hansen  
Stephen M. Hansen, WSBA #15642  
Of Attorneys for Plaintiffs

**STIPULATION AND [PROPOSED] ORDER RE-NOTING MOTION  
TO DISMISS [DKT. 23] AND REVISING BRIEFING SCHEDULE  
(C09-05217-BHS) – 2**

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